

Case Name Celsius Network LLC, et al.

Case No. 22-10964

Honorable Judge Martin Glenn,

I am the managing member of a family-owned corporate account who, despite wanting to receive our distribution in cryptocurrency, was told by Celsius that we will only receive our crypto distribution in fiat. Even though we are a top 100 account holder, the limited slots for Coinbase distributions were filled by others. We are perplexed by this artificial limitation on the number of Coinbase distribution slots and the separate and unequal treatment for all US based Corporate Earn accounts (where some account holders are given crypto distributions and others are given fiat).

As the corporate account's managing member, the inequality in this method of distribution, the denomination, and the timing of distribution is significantly damaging. We had numerous crypto assets on the platform that were frozen in July of 2022. Given the challenges and volatility of cryptocurrency, we had the foresight (and good luck) to remove some portion of our assets from the platform. None of us are cryptocurrency experts or have any affiliation with Celsius besides being investors who were duped by Celsius. Our withdrawal was based on our increasing concern around the concentration risk of our assets on the platform. To add insult to injury, we are now facing a potential significant withdrawal preference exposure (WPE) claim for taking our own assets off of a bankrupt platform.

In addition, the notice to the top 100 Celsius corporate account holders in late January appeared to indicate that we would not be eligible for a Coinbase slot since we had not resolved our WPE. After the deadline passed, I came to discover that several corporate creditors were able to reserve slots for crypto distribution even without resolution of WPE. The communication has been a mess. Not receiving the same distribution treatment as others in our claim class amounts to unequal treatment and compounds the injury of Celsius' illegality and mismanagement. Our claim being liquidated into USD with no option or choice does not represent an adequate appraisal of fair market value. As others have pointed out, it would be fair to amend the process for US Corporate "earn" creditors to be consistent with the treatment of other account types within the same class. Alternatively, we request that our distribution in dollars be made with a re-appraisal of asset value based on the actual distribution date like other "Earn" account holders and similar to the top 100 corporate account holders. Being liquidated, especially with a price freeze (July/2022) is a catastrophic outcome & incongruent with the treatment for other classes/account types.

Respectfully,

Yogin Patel
The Patel Collective, LLC